

REMARKS

Claims 1-8 and 10-18 are pending in the above-identified application.

In order to support the insertion into the specification at page 23 as noted above, provided with this Submission is Exhibit B (Instruction Manuel for U-3410 Spectrophotometer, pages 2-3, 2-6 and 2-7). Exhibit B provides relevant portions of the U-3410 spectrophotometer Instruction Manuel in order to evidence the fact that this spectrophotometer does not employ any polarizer. Exhibit B discloses that the U-3410 spectrophotometer has a nonadjustable deuterium lamp and nonadjustable tungsten iodide lamp as light sources as described in the third row of the table at page 2-7. Also, it is evident from Figure 2-2 at page 2-3 and the table on page 2-6 that the light sources in the U-3410 spectrophotometer deliver unpolarized light to the sample that is analyzed. Because the presence of an unpolarized light source is an inherent feature of the U-3410 spectrophotometer disclosed at page 23 of the present specification, it is appropriate to insert this information into the specification which does not raise the issue of "new matter". In addition, a spelling correction was also made in the same paragraph of the specification. Consequently, it is requested that the above amendments to the specification be entered of record.

In addition to the above, it is noted that the Advisory Action of April 14, 2009 refused entry of the previous Amendment filed April 3, 2009, and that the filing of the present Request for Continued Examination (RCE) will ensure entry and full consideration of the amendments and remarks submitted with this Amendment.

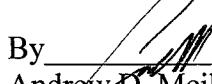
It is submitted for the reasons above that the present application should now be placed in condition for allowance.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: May 4, 2009

Respectfully submitted,

By 
Andrew D. Meikle
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Enclosures: Exhibit B